



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Katrina DeVilla,
Engineering Technician 5 (S2231W),
Statewide

Examination Appeal

CSC Docket No. 2020-84

ISSUED: MARCH 16, 2020 (ABR)

Katrina DeVilla appeals the determination of the Division of Agency Services (Agency Services), which found that she did not meet the experience requirement for the Engineering Technician 5 (S2231W), Statewide examination.

The subject examination announcement was issued with a closing date of November 21, 2018. The examination was open to applicants who had satisfactorily completed high school level courses in basic mathematics, which included Algebra 1 and 2, and who possessed one year of engineering support experience performing inspections, investigations, surveys, data collection or completion, drafting, and/or mathematic computations. The subject eligible list, containing 10 names, promulgated on June 27, 2019 and expires on June 26, 2022. Six certifications have been issued from the subject eligible list, resulting in the appointment of four eligibles. One eligible presently remains active on the subject eligible list.

On her application, the appellant indicated, in relevant part, that she possessed a high school diploma or General Educational Diploma (GED) and that she served as an Administrative Assistant with U.S. Tech Solutions from February 2018 to the closing date (November 2018); as a Client Administrative Support Assistant from November 2017 to February 2018; and as an Executive Assistant Office Administrator/Procurement with Jimmy’s Trucking, Inc. from September 2004 to July 2011. Agency Services found that the appellant possessed the required education for the subject examination. However, it determined that her experience was not applicable because there was no indication that the primary focus of the

duties in the positions listed in her application was engineering support work. As a result, she was deemed ineligible for the subject examination.

On appeal, the appellant argues that she possesses sufficient applicable experience for the subject examination. Specifically, she states, in relevant part, that the primary focus of her duties since March 2018 has been providing engineering support in the Department of Transportation's Division of Multimodal Services. Specifically, she submits that her duties have included, in part, compiling data on traffic incidents and accident reports; assisting and/or conducting activities related to program planning, including safety audits, property inspections, testing, measurements and field observations; participating in hazard management and accident/incident investigations; developing a hazard management process; monitoring hazards; reviewing and completing reports; monitoring and tracking open Corrective Action Plans; and establishing, maintaining and analyzing a logging system for incident reports, accidents, and special areas of focus for rail transit agencies. The appellant notes that she continued to perform the same duties after being provisionally appointed to the subject title, effective January 5, 2019. In support, the appellant submits copies of her Performance Assessment Reviews (PARs), which list her duties from January 2019 through the closing date. The appellant further avers that her experience as an Executive Assistant Office Administrator/Procurement was applicable and that her duties included, in part, handling freight bill of lading/contracts; warehouse inventory inspections and data collection; and assisting logistics engineers with engineering projects and the determination of logistical support requirements.

Agency records indicate that the appellant was provisionally appointed to the subject title, effective January 5, 2019, and that she continues to serve in this position with the Department of Transportation.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)2 provides that applicants must meet all requirements specified in an open competitive examination announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause shown in a particular situation.

Initially, it is noted that Agency Services correctly determined that the appellant's experience did not constitute applicable experience for the subject examination. In this regard, the record reveals that the primary focus of her duties as an Administrative Assistant, as a Client Administrative Support Assistant and as an Executive Assistant Office Administrator/Procurement was administrative support work. However, the record evidences that the appellant possesses the required experience based upon her post-closing date service as a provisional Engineering Technician 5. Additionally, the record indicates that the examination

situation is not competitive, as the subject eligible list has been exhausted. In this regard, *N.J.A.C.* 4A:1-1.2(c) provides that the Commission may relax a rule for good cause in a particular situation. Under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-3(b)2 and accept the appellant's provisional experience after the closing date, for eligibility purposes only, and admit her to the subject examination.

ORDER

Therefore, it is ordered that this appeal be granted and the appellant's application be processed for prospective employment opportunities only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 12TH DAY OF MARCH, 2020



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Katrina DeVilla
Michele A. Shapiro
Kelly Glenn
Records Center